

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

LEHMAN BROTHERS HOLDINGS INC., et al.,

Debtors.

Chapter 11 Case No.
08-13555 (JMP)
(Jointly Administered)

In re

LEHMAN BROTHERS INC.,

Debtor.

Case No. 08-01420 (JMP)
(SIPA)

[PROPOSED] ORDER

Upon the motion (the “Motion”) of Barclays Capital Inc. (“Barclays”) for the entry of an order excluding the expert testimony of Daniel McIsaac regarding LBI’s obligations under SEC Rules 15c3-1, 15c3-3 and/or the Securities Investor Protection Act; the Court having reviewed the Motion and having considered the statements of counsel before the Court (the “Hearing”); and the Court having found that: (a) the Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b); and (c) notice of the Motion and the Hearing was sufficient under the circumstances; and the Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted herein;

IT IS HEREBY ORDERED, pursuant to 11 U.S.C. § 105(a), that:

1. The Motion is granted.
2. The expert testimony of Daniel McIsaac regarding LBI’s obligations under SEC Rules 15c3-1, 15c3-3 and/or the Securities Investor Protection Act, including the

Reports dates October 5, 2009, February 18, 2010, and March 14, 2010, are
hereby deemed inadmissible and are excluded from the record, pursuant to Fed.

R. Evid. 702.

3. The Court shall retain jurisdiction to implement and enforce the terms of this
Order.

Dated: _____

HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE